

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of

MOLOKAI PUBLIC UTILITIES,
INC., WAI'OLA O MOLOKA'I, INC.,
and MOSCO, INC.

For Temporary Rate Relief.

Docket No. 2008-0115

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COUNTY OF MAUI'S REQUEST FOR ISSUANCE OF SUBPOENAE
AND SUBPOENAE DUCES TECUM

EXHIBITS "A" TO "E"

CERTIFICATE OF SERVICE

DEPARTMENT OF THE CORPORATION COUNSEL

BRIAN T. MOTO	5421
Corporation Counsel	
JANE E. LOVELL	7551
Deputy Corporation Counsel	
County of Maui	
200 South High Street	
Wailuku, Maui, Hawaii 96793	
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Attorneys for COUNTY OF MAUI

FILED
2008 JUL -9 P 2:31
PUBLIC UTILITIES
COMMISSION

**COUNTY OF MAUI'S REQUEST FOR ISSUANCE
OF SUBPOENAE AND SUBPOENAE DUCES TECUM**

COMES NOW COUNTY OF MAUI, by and through its attorneys, BRIAN T. MOTO, Corporation Counsel, and JANE E. LOVELL, Deputy Corporation Counsel, and pursuant to HAR § 6-61-38(a) and § 6-61-38(b), requests that this Honorable Commission issue subpoenae to compel attendance of witnesses at the Commission's hearing on July 15, 2008, and that the Commission issue subpoenae duces tecum to compel the production of documents. The requested subpoenae and subpoenae duces tecum are attached hereto as Exhibits "A" through "E".

The witnesses and documents sought to be compelled are relevant to the proposed temporary rate increases. The requesting party believes that the witness testimony and documents sought may either rebut or corroborate the claims of MOLOKAI PUBLIC UTILITIES, INC., WAI'OLA O MOLOKA'I, INC., and MOSCO, INC. ("Utilities") that the Utilities are financially unable to continue to operate without the proposed rate increases past August 31, 2008. Should the Utilities make good on their threat to abruptly cease service, in violation of the Commission's order to the contrary, information in the requested testimony and documents will be necessary for the continuation of service by the State of Hawaii pursuant to HRS §§ 128-9(4) and 342D-10, or by any private entity that may be willing and able to operate the Utilities.

The requested subpoenae duces tecum are necessary because despite less formal requests for the same from this Commission and from COUNTY OF MAUI, to date, the Utilities have failed to produce the necessary documents and information. The witness subpoenae are


necessary given the statement of an officer of the Utilities, Daniel Orodenker, at the status conference held in this docket on July 2, 2008, to the effect that he was not representing and could not speak for the Utilities.

According to filings with the State Department of Commerce & Consumer Affairs, Dennis Ikeda is the Treasurer of MOSCO, Inc., MOLOKAI PUBLIC UTILITIES, INC., and WAI`OLA O MOLOKA`I, Inc.; Peter Nicholas is the President and Director of MOSCO, Inc., MOLOKAI PUBLIC UTILITIES, INC., and WAI`OLA O MOLOKA`I, Inc.; Daniel Orodenker is the Secretary of MOSCO, Inc., MOLOKAI PUBLIC UTILITIES, INC., and WAI`OLA O MOLOKA`I, Inc.; John Sabas is the Vice President of WAI`OLA O MOLOKA`I, Inc.; and Roy Sugiyama is the Manager/Director of MOSCO, Inc., Vice President and a Director of MOLOKAI PUBLIC UTILITIES, INC., and a Director of WAI`OLA O MOLOKA`I, Inc.

DATED: Wailuku, Maui, Hawaii, July 8, 2008.

BRIAN T. MOTO
Corporation Counsel
Attorneys for COUNTY OF MAUI

By:


Jane E. Lovell
Deputy Corporation Counsel

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In the Matter of

MOLOKAI PUBLIC UTILITIES,
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For Temporary Rate Relief.

Docket No. 2008-0115

WITNESS SUBPOENA AND SUBPOENA
DUCES TECUM

Hearing Date: July 15, 2008

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WITNESS SUBPOENA AND SUBPOENA DUCES TECUM

THE STATE OF HAWAII:

TO THE SHERIFF of the State of Hawaii or his Deputy, or any Police Officer in the State of Hawaii, or any person not less than 18 years of age and not a party in the above-entitled matter:

YOU ARE COMMANDED to subpoena Dennis Ikeda, whose address is 745 Fort Street, Suite 600, Honolulu, Hawaii 96813, to personally appear before the Public Utilities Commission on July 15, 2008 at 10:00 a.m. at the Maunaloa Elementary School, 128 Maunaloa Road, Maunaloa, Hawaii 96770, and to bring with him the documents and things described in Exhibit "1" hereto.

The testimony of Dennis Ikeda, and the documents and things described in Exhibit "1" hereto, are relevant to the proposed temporary rate increases, in that the witness testimony and documents sought may either rebut or corroborate the claims of MOLOKAI PUBLIC UTILITIES, INC., WAI'OLA O MOLOKA'I, INC., and MOSCO, INC. ("Utilities") that the Utilities are financially unable to continue to operate without the proposed rate increases past August 31, 2008. Despite less formal requests from the Public Utilities

EXHIBIT " A ..

Commission and from COUNTY OF MAUI for the documents and things described in Exhibit "1" hereto, to date, the Utilities have failed to produce all necessary documents and information. The subpoena to compel the witness's presence is necessary given the statement of an officer of the Utilities, Daniel Orodener, at the status conference held in this docket on July 2, 2008, to the effect that he was not representing and could not speak for the Utilities.

DATED: Honolulu, Hawaii, July ___, 2008.

Carlito P. Caliboso, Chair
Public Utilities Commission

I. FINANCES

For the time period January 1, 2001 to the present:

Audited financial statements.

Filings with the U.S. Securities and Exchange Commission (if any).

Filings with the Hong Kong Stock Exchange (if any).

Corporate state and federal tax returns for Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., MOSCO, Inc., and for Molokai Properties, Ltd.

Any and all documents evidencing loans among or between Molokai Properties, Ltd. and Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc.

Any and all documents evidencing leases, purchases, sales, assignments, or transfers of land or other assets among or between Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc. and Molokai Properties, Ltd.

Any and all documents evidencing loans, notes payable, or loans guaranteed by Molokai Properties, Ltd. for the benefit of Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc.

Any and all documents evidencing cash payments made by Molokai Properties, Ltd. for utility services provided to Molokai Properties, Ltd. by Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc.

Any and all documents evidencing charges for utility services provided to Molokai Properties, Ltd. by Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc. that were not paid.

Any and all documents evidencing provision by Molokai Properties, Ltd. of operating capital to Molokai Properties, Ltd. by Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc.

Copies of any and all insurance policies maintained by Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., MOSCO, Inc., and Molokai Properties, Ltd.

Any and all documents evidencing bonds, securities, notes, or other forms of indebtedness currently owed by Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., MOSCO, Inc.

Copies of any and all judgments entered against Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc.

II. WASTEWATER SYSTEMS

For the time period January 1, 2001 to the present:

Records of all properties connected to the sewers, including address of property, TMK, name and contact information for the property owner.

Documents disclosing the condition of the assets, past repairs along with maps, CCTV data, or other written documentation delineating the locations of all work done/not done and the extent of the defect or repair made or required.

Documents or information pertaining to property ownership of land on which infrastructure (such as pipelines) is located, including recorded or unrecorded easements.

Complete permitting history, including records of any violations, fines, or enforcement actions.

Documents concerning any current or pending litigation or legal issues regarding connections, permits, easements, payments owed, and the like.

As-built plans (and GIS files if existing) for sewer lines, force mains, and related infrastructure.

Operation manuals and as built construction drawings of all facilities.

Detailed list of all assets and inventory, including the install dates of all equipment and vendor lists.

Any agreements between Molokai Properties, Ltd., Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc. and property owners connected to the sewer system(s).

Compliance logs.

Preventative Maintenance plans.

Projected replacement schedules.

Staffing records indicating annual hours to operate (including management, operators, mechanics, electricians, laboratory technicians and the like), with hours broken down by each category.

Records of outsourcing or contracting out for personnel or services needed to operate the systems.

Yearly budgets.

III. WATER SYSTEMS

The same information requested for Wastewater and also the following for the time period January 1, 2001 to the present:

List of all plant, property and equipment in service, including dates of acquisition, depreciation basis, depreciation taken to date.

Description of the physical and operational condition of all plant and equipment in service.

Customer information, billing records, number of accounts, number of meters, meter sizes.

Water consumption data.

Planned and proposed new services.

All water quality data, both process control data and data reportable to the State Department of Health.

Any water quality compliance issues and violations.

All Sanitary Surveys conducted by the State Department of Health.

All Consumer Confidence reports.

All written communications with the PUC.

Maps and descriptions of service areas per the CPCN.

Documents containing information on Well 17, including pump type, pump capacity, well construction information, motor hp, motor and pump manufacturer, maintenance and repair records, blueprints, engineering report.

Documents containing information on the Surface Water Treatment Facility, including type of treatment, capacity, operating manuals, influent and effluent water quality data, engineering report.

Documents containing information on any booster pump stations, including pump type, motor hp, operating records, and maintenance records. .

Documents containing information on storage tanks, reservoirs, head breaker tanks, and pressure reducing valves, including maintenance records.

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Docket No. 2008-0115

WITNESS SUBPOENA AND SUBPOENA
DUCES TECUM

Hearing Date: July 15, 2008

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WITNESS SUBPOENA AND SUBPOENA DUCES TECUM

THE STATE OF HAWAII:

TO THE SHERIFF of the State of Hawaii or his Deputy, or any Police Officer in the State of Hawaii, or any person not less than 18 years of age and not a party in the above-entitled matter:

YOU ARE COMMANDED to subpoena Peter A. Nicholas, whose address is 745 Fort Street, Suite 600, Honolulu, Hawaii 96813, to personally appear before the Public Utilities Commission on July 15, 2008 at 10:00 a.m. at the Maunaloa Elementary School, 128 Maunaloa Road, Maunaloa, Hawaii 96770, and to bring with him the documents and things described in Exhibit "1" hereto.

The testimony of Peter A. Nicholas, and the documents and things described in Exhibit "1" hereto, are relevant to the proposed temporary rate increases, in that the witness testimony and documents sought may either rebut or corroborate the claims of MOLOKAI PUBLIC UTILITIES, INC., WAI'OLA O MOLOKA'I, INC., and MOSCO, INC. ("Utilities") that the Utilities are financially unable to continue to operate without the proposed rate increases past August 31, 2008. Despite less formal requests from the Public Utilities

EXHIBIT " B "

Commission and from COUNTY OF MAUI for the documents and things described in Exhibit "1" hereto, to date, the Utilities have failed to produce all necessary documents and information. The subpoena to compel the witness's presence is necessary given the statement of an officer of the Utilities, Daniel Orodener, at the status conference held in this docket on July 2, 2008, to the effect that he was not representing and could not speak for the Utilities.

DATED: Honolulu, Hawaii, July ____, 2008.

Carlito P. Caliboso, Chair
Public Utilities Commission

I. FINANCES

For the time period January 1, 2001 to the present:

Audited financial statements.

Filings with the U.S. Securities and Exchange Commission (if any).

Filings with the Hong Kong Stock Exchange (if any).

Corporate state and federal tax returns for Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., MOSCO, Inc., and for Molokai Properties, Ltd.

Any and all documents evidencing loans among or between Molokai Properties, Ltd. and Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc.

Any and all documents evidencing leases, purchases, sales, assignments, or transfers of land or other assets among or between Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc. and Molokai Properties, Ltd.

Any and all documents evidencing loans, notes payable, or loans guaranteed by Molokai Properties, Ltd. for the benefit of Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc.

Any and all documents evidencing cash payments made by Molokai Properties, Ltd. for utility services provided to Molokai Properties, Ltd. by Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc.

Any and all documents evidencing charges for utility services provided to Molokai Properties, Ltd. by Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc. that were not paid.

Any and all documents evidencing provision by Molokai Properties, Ltd. of operating capital to Molokai Properties, Ltd. by Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc.

Copies of any and all insurance policies maintained by Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., MOSCO, Inc., and Molokai Properties, Ltd.

Any and all documents evidencing bonds, securities, notes, or other forms of indebtedness currently owed by Wai'ola O Moloka'i, Inc., Molokai Public Utilities, Inc., MOSCO, Inc.

Copies of any and all judgments entered against Wai'ola O Moloka'i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc.

II. WASTEWATER SYSTEMS

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Documents or information pertaining to property ownership of land on which infrastructure (such as pipelines) is located, including recorded or unrecorded easements.

Complete permitting history, including records of any violations, fines, or enforcement actions.

Documents concerning any current or pending litigation or legal issues regarding connections, permits, easements, payments owed, and the like.

As-built plans (and GIS files if existing) for sewer lines, force mains, and related infrastructure.

Operation manuals and as built construction drawings of all facilities.

Detailed list of all assets and inventory, including the install dates of all equipment and vendor lists.

Any agreements between Molokai Properties, Ltd., Wai'ola O Moloka'i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc. and property owners connected to the sewer system(s).

Compliance logs.

Preventative Maintenance plans.

Projected replacement schedules.

Staffing records indicating annual hours to operate (including management, operators, mechanics, electricians, laboratory technicians and the like), with hours broken down by each category.

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Yearly budgets.

III. WATER SYSTEMS

The same information requested for Wastewater and also the following for the time period January 1, 2001 to the present:

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Water consumption data.

Planned and proposed new services.

All water quality data, both process control data and data reportable to the State Department of Health.

Any water quality compliance issues and violations.

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Maps and descriptions of service areas per the CPCN.

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WITNESS SUBPOENA AND SUBPOENA
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Hearing Date: July 15, 2008

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WITNESS SUBPOENA AND SUBPOENA DUCES TECUM

THE STATE OF HAWAII:

TO THE SHERIFF of the State of Hawaii or his Deputy, or any Police Officer in the State of Hawaii, or any person not less than 18 years of age and not a party in the above-entitled matter:

YOU ARE COMMANDED to subpoena Daniel Orodenker, whose address is 745 Fort Street, Suite 600, Honolulu, Hawaii 96813, to personally appear before the Public Utilities Commission on July 15, 2008 at 10:00 a.m. at the Maunaloa Elementary School, 128 Maunaloa Road, Maunaloa, Hawaii 96770, and to bring with him the documents and things described in Exhibit "1" hereto.

The testimony of Daniel Orodenker, and the documents and things described in Exhibit "1" hereto, are relevant to the proposed temporary rate increases, in that the witness testimony and documents sought may either rebut or corroborate the claims of MOLOKAI PUBLIC UTILITIES, INC., WAI'OLA O MOLOKA'I, INC., and MOSCO, INC. ("Utilities") that the Utilities are financially unable to continue to operate without the proposed rate increases past August 31, 2008. Despite less formal requests from the Public Utilities

EXHIBIT " C "

Commission and from COUNTY OF MAUI for the documents and things described in Exhibit "1" hereto, to date, the Utilities have failed to produce all necessary documents and information. The subpoena to compel the witness's presence is necessary given the statement Daniel Orodener, an officer of the Utilities, at the status conference held in this docket on July 2, 2008, to the effect that he was not representing and could not speak for the Utilities.

DATED: Honolulu, Hawaii, July ___, 2008.

Carlito P. Caliboso, Chair
Public Utilities Commission

I. FINANCES

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Any and all documents evidencing loans among or between Molokai Properties, Ltd. and Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc.

Any and all documents evidencing leases, purchases, sales, assignments, or transfers of land or other assets among or between Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc. and Molokai Properties, Ltd.

Any and all documents evidencing loans, notes payable, or loans guaranteed by Molokai Properties, Ltd. for the benefit of Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc.

Any and all documents evidencing cash payments made by Molokai Properties, Ltd. for utility services provided to Molokai Properties, Ltd. by Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc.

Any and all documents evidencing charges for utility services provided to Molokai Properties, Ltd. by Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc. that were not paid.

Any and all documents evidencing provision by Molokai Properties, Ltd. of operating capital to Molokai Properties, Ltd. by Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc.

Copies of any and all insurance policies maintained by Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., MOSCO, Inc., and Molokai Properties, Ltd.

Any and all documents evidencing bonds, securities, notes, or other forms of indebtedness currently owed by Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., MOSCO, Inc.

Copies of any and all judgments entered against Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc.

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Any agreements between Molokai Properties, Ltd., Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc. and property owners connected to the sewer system(s).

Compliance logs.

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Staffing records indicating annual hours to operate (including management, operators, mechanics, electricians, laboratory technicians and the like), with hours broken down by each category.

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Hearing Date: July 15, 2008

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WITNESS SUBPOENA AND SUBPOENA DUCES TECUM

THE STATE OF HAWAII:

TO THE SHERIFF of the State of Hawaii or his Deputy, or any Police Officer in the State of Hawaii, or any person not less than 18 years of age and not a party in the above-entitled matter:

YOU ARE COMMANDED to subpoena John Sabas, whose address is 745 Fort Street, Suite 600, Honolulu, Hawaii 96813, to personally appear before the Public Utilities Commission on July 15, 2008 at 10:00 a.m. at the Maunaloa Elementary School, 128 Maunaloa Road, Maunaloa, Hawaii 96770, and to bring with him the documents and things described in Exhibit "1" hereto.

The testimony of John Sabas, and the documents and things described in Exhibit "1" hereto, are relevant to the proposed temporary rate increases, in that the witness testimony and documents sought may either rebut or corroborate the claims of MOLOKAI PUBLIC UTILITIES, INC., WAI'OLA O MOLOKA'I, INC., and MOSCO, INC. ("Utilities") that the Utilities are financially unable to continue to operate without the proposed rate increases past August 31, 2008. Despite less formal requests from the Public Utilities

EXHIBIT "D"

Commission and from COUNTY OF MAUI for the documents and things described in Exhibit "1" hereto, to date, the Utilities have failed to produce all necessary documents and information. The subpoena to compel the witness's presence is necessary given the statement of an officer of the Utilities, Daniel Orodener, at the status conference held in this docket on July 2, 2008, to the effect that he was not representing and could not speak for the Utilities.

DATED: Honolulu, Hawaii, July ___, 2008.

Carlito P. Caliboso, Chair
Public Utilities Commission

I. FINANCES

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Any and all documents evidencing charges for utility services provided to Molokai Properties, Ltd. by Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc. that were not paid.

Any and all documents evidencing provision by Molokai Properties, Ltd. of operating capital to Molokai Properties, Ltd. by Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc.

Copies of any and all insurance policies maintained by Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., MOSCO, Inc., and Molokai Properties, Ltd.

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List of all plant, property and equipment in service, including dates of acquisition, depreciation basis, depreciation taken to date.

Description of the physical and operational condition of all plant and equipment in service.

Customer information, billing records, number of accounts, number of meters, meter sizes.

Water consumption data.

Planned and proposed new services.

All water quality data, both process control data and data reportable to the State Department of Health.

Any water quality compliance issues and violations.

All Sanitary Surveys conducted by the State Department of Health.

All Consumer Confidence reports.

All written communications with the PUC.

Maps and descriptions of service areas per the CPCN.

Documents containing information on Well 17, including pump type, pump capacity, well construction information, motor hp, motor and pump manufacturer, maintenance and repair records, blueprints, engineering report.

Documents containing information on the Surface Water Treatment Facility, including type of treatment, capacity, operating manuals, influent and effluent water quality data, engineering report.

Documents containing information on any booster pump stations, including pump type, motor hp, operating records, and maintenance records. .

Documents containing information on storage tanks, reservoirs, head breaker tanks, and pressure reducing valves, including maintenance records.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of

MOLOKAI PUBLIC UTILITIES,
INC., WAI'OLA O MOLOKA'I, INC.,
and MOSCO, INC.

For Temporary Rate Relief.

Docket No. 2008-0115

WITNESS SUBPOENA AND SUBPOENA
DUCES TECUM

Hearing Date: July 15, 2008

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WITNESS SUBPOENA AND SUBPOENA DUCES TECUM

THE STATE OF HAWAII:

TO THE SHERIFF of the State of Hawaii or his Deputy, or any Police Officer in the State of Hawaii, or any person not less than 18 years of age and not a party in the above-entitled matter:

YOU ARE COMMANDED to subpoena Roy Sugiyama, whose address is 745 Fort Street, Suite 600, Honolulu, Hawaii 96813, to personally appear before the Public Utilities Commission on July 15, 2008 at 10:00 AM at the Maunaloa Elementary School, 128 Maunaloa Road, Maunaloa, Hawaii 96770, and to bring with him the documents and things described in Exhibit "1" hereto.

The testimony of Roy Sugiyama, and the documents and things described in Exhibit "1" hereto, are relevant to the proposed temporary rate increases, in that the witness testimony and documents sought may either rebut or corroborate the claims of MOLOKAI PUBLIC UTILITIES, INC., WAI'OLA O MOLOKA'I, INC., and MOSCO, INC. ("Utilities") that the Utilities are financially unable to continue to operate without the proposed rate increases past August 31, 2008. Despite less formal requests from the Public Utilities

EXHIBIT " E "

Commission and from COUNTY OF MAUI for the documents and things described in Exhibit "1" hereto, to date, the Utilities have failed to produce all necessary documents and information. The subpoena to compel the witness's presence is necessary given the statement of an officer of the Utilities, Daniel Orodener, at the status conference held in this docket on July 2, 2008, to the effect that he was not representing and could not speak for the Utilities.

DATED: Honolulu, Hawaii, July ___, 2008.

Carlito P. Caliboso, Chair
Public Utilities Commission

I. FINANCES

For the time period January 1, 2001 to the present:

Audited financial statements.

Filings with the U.S. Securities and Exchange Commission (if any).

Filings with the Hong Kong Stock Exchange (if any).

Corporate state and federal tax returns for Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., MOSCO, Inc., and for Molokai Properties, Ltd.

Any and all documents evidencing loans among or between Molokai Properties, Ltd. and Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc.

Any and all documents evidencing leases, purchases, sales, assignments, or transfers of land or other assets among or between Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc. and Molokai Properties, Ltd.

Any and all documents evidencing loans, notes payable, or loans guaranteed by Molokai Properties, Ltd. for the benefit of Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc.

Any and all documents evidencing cash payments made by Molokai Properties, Ltd. for utility services provided to Molokai Properties, Ltd. by Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc.

Any and all documents evidencing charges for utility services provided to Molokai Properties, Ltd. by Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc. that were not paid.

Any and all documents evidencing provision by Molokai Properties, Ltd. of operating capital to Molokai Properties, Ltd. by Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc.

Copies of any and all insurance policies maintained by Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., MOSCO, Inc., and Molokai Properties, Ltd.

Any and all documents evidencing bonds, securities, notes, or other forms of indebtedness currently owed by Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., MOSCO, Inc.

Copies of any and all judgments entered against Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc.

II. WASTEWATER SYSTEMS

For the time period January 1, 2001 to the present:

Records of all properties connected to the sewers, including address of property, TMK, name and contact information for the property owner.

Documents disclosing the condition of the assets, past repairs along with maps, CCTV data, or other written documentation delineating the locations of all work done/not done and the extent of the defect or repair made or required.

Documents or information pertaining to property ownership of land on which infrastructure (such as pipelines) is located, including recorded or unrecorded easements.

Complete permitting history, including records of any violations, fines, or enforcement actions.

Documents concerning any current or pending litigation or legal issues regarding connections, permits, easements, payments owed, and the like.

As-built plans (and GIS files if existing) for sewer lines, force mains, and related infrastructure.

Operation manuals and as built construction drawings of all facilities.

Detailed list of all assets and inventory, including the install dates of all equipment and vendor lists.

Any agreements between Molokai Properties, Ltd., Wai`ola O Moloka`i, Inc., Molokai Public Utilities, Inc., and/or MOSCO, Inc. and property owners connected to the sewer system(s).

Compliance logs.

Preventative Maintenance plans.

Projected replacement schedules.

Staffing records indicating annual hours to operate (including management, operators, mechanics, electricians, laboratory technicians and the like), with hours broken down by each category.

Records of outsourcing or contracting out for personnel or services needed to operate the systems.

Yearly budgets.

III. WATER SYSTEMS

The same information requested for Wastewater and also the following for the time period January 1, 2001 to the present:

List of all plant, property and equipment in service, including dates of acquisition, depreciation basis, depreciation taken to date.

Description of the physical and operational condition of all plant and equipment in service.

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CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I hereby certify that on this date a copy of the foregoing document was served upon the following by First Class Mail, by depositing copies bearing sufficient postage with the U.S. Post Office, addressed as follows:

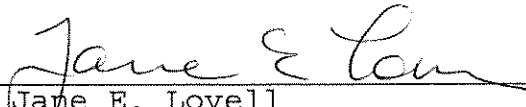
Peter A. Nicholas, Director
Daniel Orodener, General Counsel and Secretary
MOLOKAI PUBLIC UTILITIES, INC.
WAI'OLA O MOLOKA'I, INC.
MOSCO, INC.
MOLOKAI PROPERTIES LIMITED
dba MOLOKAI RANCH
745 Fort Street, Suite 600
Honolulu, Hawaii 96813

Catherine P. Awakuni
Executive Director
CONSUMER ADVOCATE
Division of Consumer Advocacy
Department of Commerce and Consumer Affairs
P. O. Box 541
Honolulu, HI 96809

DATED: Wailuku, Maui, Hawaii, July 8, 2008.

BRIAN T. MOTO
Corporation Counsel
Attorneys for COUNTY OF MAUI

By:


Jane E. Lovell
Deputy Corporation Counsel